

Memorandum of Understanding
Among the Board of Education of Washington County, Meritus Medical Center and the
Nursing Agency
Regarding temporary school health services in WCPS health rooms

Purpose

The Meritus Medical Center (Meritus”) and the Board of Education of Washington County (“Board”) acknowledge the importance of advancing the health and academic success of Washington County Public Schools (“WCPS”) school children through the development, implementation, and evaluation of the School Health Services Program as mandated by the Maryland School Health Standards.

Meritus will administer and provide all of the services detailed in the Code of Maryland Administrative Regulations Sections 13A.05.05.05 to .15 (“COMAR”) on behalf of the Board in accordance with all laws, administrative regulations, and guidelines provided by the Maryland State Department of Education and/or Maryland State Department of Health and Mental Hygiene. Maryland law requires a local board of education, with the assistance of the county health department, to establish a school health program that provides students with adequate school health services and instruction in health education (“School Health Program”). COMAR details the components of a School Health Program. Meritus will administer and assume all of the Board’s duties and responsibilities under COMAR Sections 13A.05.05.05 to .15.

When the Meritus School Health Program has nursing staff vacancies in the health rooms, the Board may utilize nursing agencies on a temporary basis to fill said vacancies. This Memorandum of Understanding (MOU) outlines the responsibilities of the Board, Meritus, and the contracted Nursing Agency when the Board contracts with Nursing Agencies to provide temporary health room staff.

I School System Responsibilities (Board of Education of Washington County)

The Board/School Health Programs Coordinator Will:

1. Ensure that any required professional service agreement, MOU, and/or Client Assignment Confirmation is signed and fully executed.
2. Maintain records of agency nurse security clearances and legal requirements, such as current Maryland nursing license, CPR certification, and all background checks, both state and federal.
3. Provide a school calendar of holidays, closures/early dismissals, and professional development days, detailing paid and unpaid days within the time frame of the contract term.
4. Approve timecards and pay invoices for the agency nurse.
5. Extend contract, if needed.
6. Work jointly with Meritus to determine health room placement and performance/behavior issues, as needed.

II School Health Program Responsibilities (Meritus Medical Center)

Meritus/School Health Director/Designee Will:

1. Interview and select agency nurse and jointly determine school health room placement.
2. Provide schedule of work hours.
3. Provide onsite orientation.

4. Provide oversight of the agency nurse's day-to-day performance and share any complaints about the agency nurse's performance with the Nursing Agency and School Health Programs Coordinator.
5. Record hours of work for time card management and provide to the Board's School Health Programs Coordinator.

III Nursing Agency Responsibilities

The Nursing Agency Will:

1. Provide an appropriately trained and qualified agency licensed practical nurse or registered nurse, actively licensed to practice in the state of Maryland, who has a current certification for CPR and is knowledgeable regarding Standard Precautions. The name and license of the agency supervising RN should be on file.
2. Assign staff that does not have a criminal record, including child abuse. Provide records of nurse's criminal background check prior to working in the school. If the agency does not have these records, the agency may elect to have the nurse fingerprinted at WCPS Center for Educational Services. This procedure includes submission of a signed disclosure form and fingerprint check form. These forms will be forwarded for review by the State Criminal Justice Information System and the FBI. Fees for processing criminal background checks will be paid for by WCPS Human Resources Department. A 365 form will be provided to the agency. If the agency has already obtained the necessary background checks, they will provide to WCPS the 365 form. Submission of a certification form pursuant to the requirements in Education Article Section 6-113.2 (House Bill 486) is also required. WCPS reserves the right to question any information received and to recommend to the Nursing Agency the assignment of another nurse.
3. Assume direct supervisory responsibility for the agency nurse and will be responsive to concerns regarding the nurse's performance, practice, and professionalism expressed by school staff, parents, the Board's School Health Programs Coordinator and/or the Meritus School Health Director.
4. Ensure that any change in nursing staff by the Nursing Agency will require the new staff to present a current Maryland nursing license, CPR certification, and criminal background check immediately, prior to reporting to duty, to the School Health Programs Coordinator.
5. Sign any required professional service agreement, MOU and/or Client Assignment Confirmation prior to agency nurse starting assignment.
6. Give at least 30-days written notice to the Board School Health Programs Coordinator if the Nursing Agency is unable to continue service.
7. Shall procure and keep in force the following required insurance coverages:
 - A. Commercial General Liability Insurance at limits of not less than One Million Dollars (\$1,000,000) per occurrence for claims arising out of bodily injuries or death, and property damages, subject to a minimum limit of Three Million Dollars (\$3,000,000) aggregate. Such insurance shall include contractual liability insurance.
 - B. Business Automobile Liability at limit of not less than One Million Dollars (\$1,000,000) per occurrence for all claims arising out of bodily injuries or death and property damages. The insurance shall apply to any owned, non-owned, leases, or hired automobiles used in the performance of the Agreement.
 - C. Worker's Compensation coverage as required by the State of Maryland, as well as any similar coverage required for this work by applicable Federal or "other state's" state law.
 - D. Agency shall, at all times, maintain and keep in force Professional Liability, Error, and Omissions Insurance at a limit of not less than One Million Dollars (\$1,000,000) in the event the service delivered pursuant to the Agreement, either directly or indirectly, involves or requires professional services. "Professional Services" for the purpose of the Agreement

shall mean any services provided by a licensed professional such as those provided by the Nursing Agency.

- E. The Board and its elected/appointed officials, employees, departments, agencies and volunteers shall be covered, by endorsement, as additional insureds with respect to liability arising out of activities performed or to be performed by or on behalf of the Nursing Agency.

IV Agency Nurse Responsibilities

The Agency Nurse Will:

1. Sign the Client Assignment Confirmation prior to starting assignment.
2. Complete and submit a time card daily/weekly, according to protocol.
3. Notify appropriate Meritus school health staff and Nursing Agency in a timely manner when needing to call out or request a day off, according to protocol.
4. Provide first aid to staff, and first aid, treatment, and medication administration to students with acute and chronic conditions.
5. Establish, review, and maintain health and immunization records as required by COMAR 10.06.04. Health services staff will assist students in getting needed immunizations and follow communication directive process when there is not compliance with state-mandated immunizations, including the provision of twice-monthly non-compliance reports to principals.
6. Provide communicable disease surveillance and control. As appropriate, follow communication directive process when a communicable disease is identified.
7. Toileting Care:
 - (1) Provide toileting care to students with medical diagnoses, as needed, while having physical support of a school staff member at all times.
 - (2) Assist as needed with students that have had toileting accidents. If the child is unable to independently change their clothes-two staff members will be needed. One should be a school staff member and the second can be the school health staff unless that person is unavailable because of an urgent or emergent issue.
 - (3) If available, provide a change of clothing as needed for students who have had toileting accidents.
8. Educate designated school system staff regarding health problems and emergency care, as appropriate.
9. Write health care plans and emergency care plans for individual students.
10. Perform vision and hearing screenings as mandated by COMAR 13A.05.05.07.
11. Perform a health appraisal/assessment for students identified through the review of records as having health problems as mandated by COMAR 13A.05.05.07. The health appraisal may include health observations, interviews, and conference with parents/guardians, students, other health professionals, and WCPS staff.
12. Contribute to IEPs, 504s, and other student meetings as appropriate.
13. Communicate pertinent health information to school personnel regarding individual students.
14. Provide in-service training to students, staff, and parents, as appropriate.
15. Conduct monthly equipment checks and immediately report to the Board School Health Programs Coordinator and Meritus Health Administrative Secretary required maintenance so that all equipment and accessories necessary to support an AED unit are maintained in a state of readiness. Complete and maintain a proper record of all inspections. Complete the necessary form when an AED unit is used. The completed form is to be submitted to the AED Coordinator.

16. Conduct monthly emergency medication expiration checks and immediately report to the Board School Health Programs Coordinator and Meritus Health Administrative Secretary if emergency medication is expired or used/empty so replacement medication can be obtained and maintained in a state of readiness. Complete and maintain a proper record of all inspections and inventory. Complete the necessary form when an epinephrine is used. The completed form is to be submitted per MSDE guidelines.
17. Promptly report to a school administrator any concerns regarding the mental health of a student. Meritus staff shall assist the school administrator in taking any appropriate action to address such concerns.
18. Work collaboratively with the Board Mental Health Services Coordinator to implement the requirements of the Maryland Safe to Learn Act of 2018.

Administration of Medical Cannabis to Students

Maryland law permits the administration of medical cannabis during school hours and school-sponsored activities and while on a school bus to students who are qualifying patients. A student who is a qualified medical cannabis patient may obtain medical cannabis only through the student’s caregiver or any designated school personnel authorized to administer medical cannabis to the student in accordance with state guidelines.

School Health Nursing Personnel are not required to administer medical cannabis to a student who is a qualifying patient, however, they are required to take certain actions as outlined in the MSDE and Maryland Medical Cannabis Commission’s *Guidelines for Public Schools Allowing the Administration of Medical Cannabis to Students*.

The Board shall develop a training on the administration of medical cannabis in schools, which shall be provided by the School Health Nursing Personnel to designated school personnel who must complete the training prior to administering medical cannabis to a student. School Health Nursing Personnel shall provide and retain an attendance roster documenting each designated school personnel who completes the training.

Nursing Agency _____ Date _____

Agency Nurse _____ Date _____

WCPS School Health Programs Coordinator _____ Date _____

Meritus School Health Director _____ Date _____

cc: Provide copies to all signature holders

SAMPLE